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late edition only

New Hearing On JFK Data

The U.S. Court of Appeals ordered a lower court judge yesterday to hold further hearings to determine if a writer investigating the assassination of President John F. Kennedy is entitled to FBI ballistics reports.

In a 2-to-1 decision, the court ruled that the Justice Department had failed to satisfy its burden of proof under the Freedom of Information Act to justify why Harold Weisberg, author of "Whitewash," should not be allowed to see the reports.

U.S. District Judge Frank A. Kaufman, joined by Chief U.S. Circuit Judge David L. Bazelon, ordered Chief U.S. District Judge John J. Sirica to hold further proceedings. Sirica in 1971 dismissed a suit by Weisberg seeking the data. Senior U.S. Circuit Judge John A. Danaher dissented.